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HOUSE JOINT RESOLUTION 8

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Antonio "Moe" Maestas

A JOINT RESOLUTION

PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO, SUBJECT TO THE APPROVAL OF CONGRESS, TO REMOVE THE STATE PENITENTIARY'S DESIGNATION AS A BENEFICIARY OF THE LAND GRANT PERMANENT FUND AND ASSIGN THE REVENUE DERIVED FROM THE LAND GRANT LANDS ASSOCIATED WITH THE STATE PENITENTIARY TO THE PUBLIC SCHOOLS.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. It is proposed to amend Article 13, Section 1 of the constitution of New Mexico to read:

"A. Except as provided in Subsection B of this section, all lands belonging to the territory of New Mexico, and all lands granted, transferred or confirmed to the state by congress, and all lands hereafter acquired, are declared to be public lands of the state to be held or disposed of as may be provided by law for the purposes for which they have been or

underscoring material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 may be granted, donated or otherwise acquired; provided, that
2 such of school Sections Two, Thirty-Two, Sixteen and Thirty-Six
3 as are not contiguous to other state lands shall not be sold
4 within the period of ten years next after the admission of New
5 Mexico as a state for less than ten dollars (\$10.00) per acre.

6 B. Revenue derived from the lands associated with
7 the following grants of land to the state by congress shall not
8 be used for its original purpose but rather exclusively used
9 for the support and aid of the common schools:

10 (1) the fifty thousand acres originally
11 granted for the enlargement and maintenance of the territorial
12 penitentiary by the act of congress of June 21, 1898, titled
13 "An Act To make certain grants of land to the Territory of New
14 Mexico, and for other purposes."; and

15 (2) the one hundred thousand acres originally
16 granted for penitentiaries by the act of congress of June 20,
17 1910, titled "An Act To enable the people of New Mexico to form
18 a constitution and state government and be admitted into the
19 Union on an equal footing with the original States..."

20 SECTION 2. It is proposed to amend Article 14, Section 2
21 of the constitution of New Mexico to read:

22 "Except as otherwise provided in this constitution, all
23 lands [which] that have been or [which] that may be granted to
24 the state by congress for the purpose of [said] the several
25 institutions are hereby accepted for [said] the several

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1 institutions with all other grants, donations or devices for
2 the benefit of the same and shall be exclusively used for the
3 purpose for which they were or may be granted, donated or
4 devised."

5 SECTION 3. It is proposed to amend Article 21, Section 9
6 of the constitution of New Mexico to read:

7 "This state and its people consent to all and singular the
8 provisions of the said act of congress, approved June
9 twentieth, nineteen hundred and ten, as amended, concerning the
10 lands by [~~said~~] that act granted or confirmed to this state,
11 the terms and conditions upon which [~~said~~] the grants and
12 confirmations [~~were~~] are made and the means and manner of
13 enforcing such terms and conditions, all in every respect and
14 particular as [~~in said act~~] provided in that act."

15 SECTION 4. The amendment proposed by this resolution
16 shall be submitted to the people for their approval or
17 rejection at the next general election or at any special
18 election prior to that date that may be called for that
19 purpose.

20 SECTION 5. The amendment proposed by this resolution is
21 effective only with the consent of the United States congress.